

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

## TRANSMITTAL LETTER TO THE UNITED STATES

98-11094USWO

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

CONCERNING A FILING UNDER 35 U.S.C. 371

09/889010

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/DP00/20006

January 7, 2000

January 8, 1999

TITLE OF INVENTION

SPECTROMETER

APPLICANT(S) FOR DO/EO/US

P.E. Ibsen et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail (Express Mailing # EL733008434US)
23. ☒ Other items or information: Postcard

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) <b>09/889000</b>		INTERNATIONAL APPLICATION NO. <b>PCT/DK00/00005</b>		ATTORNEY'S DOCKET NUMBER <b>980.1094HSWO</b>																													
24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b> <div style="margin-left: 20px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00</div> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				<b>CALCULATIONS PTO USE ONLY</b> <div style="border: 1px solid black; height: 100px; margin-top: 10px;"></div>																													
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:15%;">CLAIMS</th><th style="width:20%;">NUMBER FILED</th><th style="width:20%;">NUMBER EXTRA</th><th style="width:15%;">RATE</th><th style="width:20%;"></th><th style="width:20%;"></th></tr></thead><tbody><tr><td>Total claims</td><td>44 - 20 =</td><td>24 <i>0</i></td><td>x : \$18.00</td><td>\$432.00</td><td></td></tr><tr><td>Independent claims</td><td>3 - 3 =</td><td>0</td><td>x \$80.00</td><td>0.00</td><td></td></tr><tr><td colspan="4">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td><td></td><td></td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	44 - 20 =	24 <i>0</i>	x : \$18.00	\$432.00		Independent claims	3 - 3 =	0	x \$80.00	0.00		Multiple Dependent Claims (check if applicable). <input type="checkbox"/>						<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><b>TOTAL OF ABOVE CALCULATIONS =</b> \$1,292.00</div> <div><input type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2. <div style="text-align: right; margin-top: 10px;"><b>SUBTOTAL =</b> \$1,292.00</div></div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><b>TOTAL NATIONAL FEE =</b> \$1,292.00</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/></div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><b>TOTAL FEES ENCLOSED =</b> \$1,292.00</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><table style="width:100%;"><tr><td style="width:80%;">Amount to be refunded</td><td style="width:20%;">\$</td></tr><tr><td>charged</td><td>\$</td></tr></table></div>		Amount to be refunded	\$	charged	\$
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<div style="margin-bottom: 10px;">a. <input checked="" type="checkbox"/> A check in the amount of <b>\$1,292.00</b> to cover the above fees is enclosed.</div> <div style="margin-bottom: 10px;">b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</div> <div style="margin-bottom: 10px;">c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>50-1038</b> A duplicate copy of this sheet is enclosed.</div> <div style="margin-bottom: 10px;">d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; width: 400px; height: 150px; margin-top: 10px;"></div>						<div style="text-align: center; margin-bottom: 10px;"> SIGNATURE</div> <div style="text-align: center; margin-bottom: 10px;">Iain A. McIntyre NAME</div> <div style="text-align: center; margin-bottom: 10px;"><b>40,337</b> REGISTRATION NUMBER</div> <div style="text-align: center;">July 5, 2001 DATE</div>																											